

III. Remarks

A. Status of the Application

Claims 1-7 and 18-27 are pending. Claims 1-20 were previously pending. Claims 8-17 are cancelled by the present paper without prejudice to or disclaimer of the subject matter therein. Claims 21-27 are added by the present paper. Reconsideration of the present application in light of the above amendments and following remarks is respectfully requested.

B. Claim Rejections – 35 U.S.C. §112

The Office Action indicated that claim 6 is rejected under 35 U.S.C. §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Claim 6 has been amended as shown above to clarify how a criterion can be a distance and is submitted to be in allowable form.

C. Claim Rejections – 35 U.S.C. §103

Claims 1, 4-7, and 18-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2005/0114204 to Kim et al. (“Kim”) in view of U.S. Patent 7,139,732 to Desenberg (“Desenberg”). Applicants traverse these rejections on the grounds that these references are defective in establishing a *prima facie* case of obviousness with respect to the pending claims.

35 U.S.C. §103(a) provides, in part, that:

“A patent may not be obtained . . . if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time of the invention was made to a person having ordinary skill in the art . . .” (emphasis added)

Thus, when evaluating a claim for determining obviousness, all limitations of the claim must be evaluated.

With respect to amended independent claim 1, however, the combination of Kim and Desenberg does not disclose “determining a maximum number of simultaneous connections N supportable by a client; identifying between one and N entities that meet a predefined criterion from a plurality of entities . . . wherein the determining [and] identifying . . . steps are performed

by the client.” As shown below in FIG. 1, Kim teaches a client, such as PC 10, that is connected via Internet 30 to a host video chatting service 20 with an advertisement providing system 40.

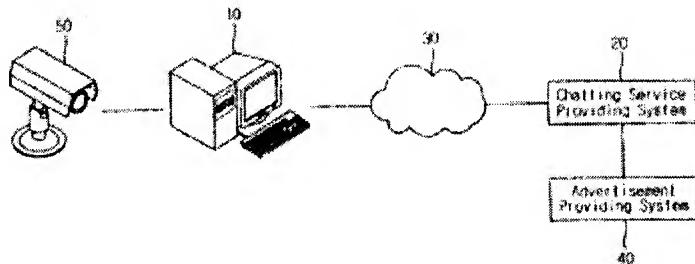


FIG. 1

Kim teaches that the advertisement providing system 40 checks the number of maximum allowable chatters per chat room and the number of chatters using the video chatting service 20. In that regard, Kim teaches a host system (e.g. advertisement providing system 40) that checks the number of maximum allowable chatters supportable by the host. Kim does not disclose or suggest a client determining a maximum number of simultaneous connections supportable by the client. Desenberg also fails to disclose such limitations. Accordingly, even when combined Kim and Desenberg do not disclose or suggest “determining a maximum number of simultaneous connections N supportable by a client; identifying between one and N entities that meet a predefined criterion from a plurality of entities . . . wherein the determining [and] identifying . . . steps are performed by the client,” as recited in claim 1.

With respect to dependent claim 4, the combination of Kim and Desenberg clearly does not disclose or suggest “wherein granting permission to the identified entities includes sending a permission message from the client to each of the identified entities.” With respect to dependent claim 5, the combination of Kim and Desenberg does not disclose “wherein revoking permission includes sending a revocation message from the client to each of the entities that are not among the identified entities.” The Office Action relies on Desenberg for these limitations. The cited portion of Desenberg discloses that “[w]hen a user requests a private chat room they will become the administrator of that room and will have the ability to grant or deny access to other LOE users.” Desenberg simply does not disclose or suggest as part of granting or denying access, sending a permission message from the client to each of the identified entities. Accordingly, for at least this additional reason, Kim and Desenberg are insufficient to establish a *prima facie* case of obviousness with respect to claims 4 and 5.

With respect to dependent claim 6, the combination of Kim and Desenberg does not disclose “wherein the predefined criterion is a distance to the client within a virtual world, wherein the plurality of entities and the client are represented by different avatars within the virtual world such that the distance between each of the plurality of entities and the client can be calculated using coordinate information within the virtual world.” The combination of Kim and Desenberg does not disclose or suggest a virtual world with different avatars representing the plurality of entities and the client, let alone defining a distance to the client within the virtual world. Accordingly, even when combined Kim and Desenberg do not disclose “wherein the predefined criterion is a distance to the client within a virtual world, wherein the plurality of entities and the client are represented by different avatars within the virtual world such that the distance between each of the plurality of entities and the client can be calculated using coordinate information within the virtual world,” as recited by claim 6.

With respect to dependent claim 7, the combination of Kim and Desenberg does not disclose “determining whether the client has received permission from each of the identified entities to communicate with each entity; and if permission has not been received from one of the identified entities, identifying between one and N entities that meet the predefined criterion, wherein the identifying excludes the previously identified entity from which permission has not been received.” The Office Action relies on Desenberg for this limitation. The cited portion of Desenberg teaches that “[w]hen a user requests a private chat room they will become the administrator of that room and will have the ability to grant or deny access to other LOE users.” This portion of Desenberg clearly does not disclose or suggest the limitations of claim 7 recited above. Accordingly, even when combined Kim and Desenberg do not disclose or suggest “determining whether the client has received permission from each of the identified entities to communicate with each entity; and if permission has not been received from one of the identified entities, identifying between one and N entities that meet the predefined criterion, wherein the identifying excludes the previously identified entity from which permission has not been received,” as recited by claim 7.

With respect to independent claim 18, the combination of Kim and Desenberg does not disclose, “determining a maximum number of simultaneous connections N supportable by the client computer.” As previously mentioned above with respect to FIG. 1, Kim teaches that the advertisement providing system 40 checks the number of maximum allowable chatters per chat

room that are using the video chatting service 20. In that regard, Kim discloses a host system (i.e. advertisement providing system 40) that checks the number of maximum allowable chatters supportable by the host. Thus, Kim does not teach a client determining a maximum number of simultaneous connections supportable by the client. Nor does Desenberg disclose such limitations. Accordingly, even when combined Kim and Desenberg do not teach “determining a maximum number of simultaneous connections N supportable by a client computer,” as recited in claim 18.

Further, the combination of Kim and Desenberg does not disclose, “sending a permission message from the client computer to each of the identified entities, wherein the permission message indicates that the entity can establish a communication channel with the client computer; and sending a revocation message from the client computer to each of the entities that are not among the identified entities, wherein the revocation message indicates that the entity can no longer communicate with the client computer,” as recited in claim 18. First, it is unclear how the Office Action is using Desenberg to reject these limitations. Specifically, the Office Action cites columns 19-21 of Desenberg as support for rejecting these limitations. However, Desenberg does not have columns 19-21, but instead stops at column 18. Further, as discussed above, Desenberg simply does not disclose sending permission or revocation messages as recited. Accordingly, even when combined Kim and Desenberg do not disclose or suggest the combination of limitations recited in claim 18.

With respect to dependent claims 19 and 20, it is again unclear how the Office Action is using Desenberg to reject these claims as the Office Action again cites to columns 19-21 of Desenberg. Further, Desenberg does not appear to disclose or suggest the additional limitations relating to permission granting and the permission table. Accordingly, even when combined Kim and Desenberg do not disclose or suggest the limitations recited in claims 19 and 20. Thus, Applicants request that the §103 rejection of claims 18-20 over Kim and Desenberg be withdrawn.

2. Kim Publication, Desenberg Patent, and Hegde Patent

Claims 2 and 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Kim in view of Desenberg and in further view of U.S. Patent No. 6,925,495 to Hegde et al. (“Hegde”). Claims 2 and 3 depend from and further limit independent claim 1. However, as shown above, even when combined Kim and Desenberg cannot establish a

prima facie case of obviousness with respect to claim 1. Hegde does not affect this deficiency. Accordingly, for at least the same reasons even when combined Kim, Desenberg, and Hegde cannot establish a *prima facie* case of obviousness with respect to claims 2 and 3. Therefore, Applicants request that the §103 rejection of claims 2 and 3 be withdrawn.

D. New Claims

New claim 21-27 have been added and recite a combination of limitations not disclosed by the cited references. In particular, new independent claim 21 recites:

21. (New) A method for client-side management of communications channels, the method comprising:
 - determining a maximum number of simultaneous connections N supportable by a client;
 - identifying between one and N entities that meet a predefined criterion from a plurality of entities;
 - determining whether the identified entities have permission to communicate with the client;
 - granting permission to communicate with the client to the identified entities that do not have permission to communicate with the client; and
 - revoking permission to communicate with the client to those entities of the plurality of entities that are not among the identified entities,

wherein the determining, identifying, granting, and revoking steps are performed by the client.

Claims 22-27 depend from and further limit independent claim 21. Accordingly, Applicants submit that new claims 21-27 are patentable over the cited references.

IV. Conclusion

It is believed that all matters set forth in the Office Action have been addressed and that all of the pending claims are in condition for allowance. An indication of allowance is respectfully requested.

Should the Examiner deem that an interview with Applicant's undersigned attorney would expedite consideration, the Examiner is invited to call the undersigned attorney at the telephone number indicated below.

Respectfully submitted,



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I hereby certify that this correspondence is being filed with the United States Patent and Trademark Office via EFS-Web on 8-28-08.



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